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ABSTRACT

Developed by classroom teachers during the development phase of Minnesota's Graduation Standards, this performance package is made up of locally designed assignments that, taken together, show whether a student has learned and can apply the knowledge and skills related to writing for a variety of academic and technical purposes, situations, and audiences. It begins with reference to the particular content standard addressed in the package, the educational level of the package ("partial middle"), and a summary statement of the content standard. It then describes the task associated with the student performances: write a persuasive essay, article, letter, or editorial. It then offers specific statements from the standard regarding what students should know and should do, the products, task description, special notes, and feedback checklists for each task enumerated in the package. (RS)

MINNESOTA DEPARTMENT OF CHILDREN, FAMILIES AND LEARNING
Example Performance Package
Minnesota Profile of Learning

Content Standard: Write and Speak: Writing

Level: Partial Middle

Title of Package/Activity: A Matter of Opinion

Summary Statement of Content Standard:

Write for a variety of academic and technical purposes, situations and audiences.

Description of Student Performances:

Task 1: Write a persuasive essay, article, letter, or editorial.

FINAL ACHIEVEMENT: Use the following scoring criteria when evaluating student performance.

Scoring Criteria

- 4 - Performance on the part(s) of the standard addressed in this package achieves and exceeds expectations of high standard work.
 - 3 - Performance on the part(s) of the standard addressed in this package meets the expectations of high standard work.
 - 2 - Work on the part(s) of the standard addressed in this package has been completed, but all or part of the student's performance is below high standard level.
 - 1 - Work on the part(s) of the standard addressed in this package has been completed, but performance is substantially below high standard level.
- No package score is recorded until ALL parts of the package have been completed.

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EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Content Standard: Write and Speak: Writing

Level: Partial Middle

Specific Statement(s) from the Standard:

A student shall demonstrate for a variety of academic and technical purposes, situations, and audiences the ability to write using correct spelling and mechanics:

3. an idea or opinion that:
 - a. gives a rationale that includes reasons to support or oppose the opinion
 - b. uses evidence to support the idea

Product(s):

- Working drafts for a persuasive piece of writing
- Persuasive piece of writing

Task Description:

Overview: In this package you will write a persuasive piece in which you clearly state a position on an issue, give reasons to support this position, and provide evidence to support the reasons. The piece may be an essay, article, letter, or editorial. Your writing should have a clear introduction, a body that contains your reasons and the evidence to support them, and a conclusion. You must also consider the needs of an audience (real or imagined) and define a purpose for your writing.

You will demonstrate your use of a writing process that includes steps such as pre-writing, drafting, conferencing, revising, editing, publishing. Just as a professional writer, you will get feedback from others – students and your teacher – and will use the best ideas you get from them to improve your writing. Throughout the process, you will save copies of all your notes, organizing tools, revision suggestions from others, and drafts.

Before you begin working on this package, you will have already determined the position about which you are writing, the format of the persuasive piece (essay, article, letter, or editorial), the audience for whom you are writing, and the purpose of the piece.

Steps:

Before you begin this task, your teacher will model each step for your class.

Also, your teacher will be observing your individual and group work and regularly giving feedback.

Pre-Writing -- Considering Audience and Purpose

1. Before you begin writing the persuasive piece, think about **who** will be reading it (**the audience**) and **why** they will read it (**the purpose**). If you think about the audience and the purpose of your writing before and while you write, you will make better and more informed decisions about the ideas and words that will have the most impact. Discuss the items listed below with your teacher and class. As you talk about them, think about how each will affect your writing.

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Task Description, continued

- **Audience:** Who will read your writing?
- **Audience Knowledge:** What does your audience already know? If an audience already knows a lot about your topic, you would not need to explain basic ideas to them in the same way that you would if the audience knows nothing about your topic. What is the audience's background? This could include their life experiences, their education, or their knowledge of the English language. What are their interests? This can help you as you choose examples and words to add emphasis, interest, and clarity in your writing.
- **Audience Attitudes:** How does your audience feel about the topic and the piece you are writing? Do you have to win them over to believe you? Is the topic one that they care deeply about or one that you need to convince them is important and interesting? What are their likes and dislikes?
- **Purpose:** What do you want the audience to learn or experience from reading this piece? What do you want the audience to think, feel, or do after reading your piece? What effect do you want your writing to have on your audience?

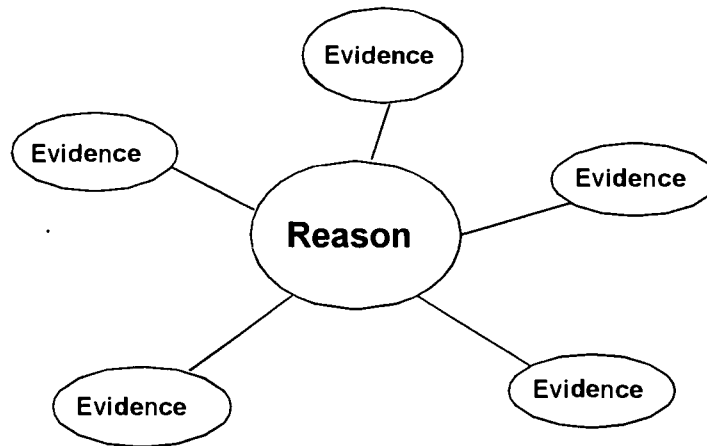
Pre-Writing -- Brainstorming Ideas; Conferencing

2. Make a list of all the possible reasons to support the opinion about which you are writing. In this brainstorming stage, try to think and write your ideas without evaluating them. Share your list with another student and ask them for help thinking of other ideas.
3. Make a list of possible reasons to oppose the opinion about which you are writing. Later, when you are constructing your argument for your opinion piece, you may choose to rebut an opposing argument. (Rebut means to use evidence or ideas to show that an argument from the opposing side is not true or is not strong.)

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion

Task Description, continued

4. From your lists of possible reasons to support or oppose the opinion, pick the four or five that are the most compelling (the strongest). For each reason, create an idea map on which you begin listing possible evidence to support the reason.



Pre-Writing -- Identifying and Finding Information

5. List everything you know about the issue. Then ask yourself what information you will need to help you in your writing. Write down **where** and **how** you will get this information.
6. Gather information on your issue, taking notes and recording the sources you use.

Pre-Writing -- Organizing Information and Ideas

7. Organize your writing -- you could use an outline or graphic organizer. (You may want to use the Sample Outline Form on page 10.) As you select the main points you will use to support your position (depending on the kind of piece you are writing, three to five might be useful), consider the following:
- **Logic:** Do the ideas logically relate to one another? Do they really support the opinion you are arguing for?
 - **Rebuttals:** Are there ideas from the opposing side of the argument that you can rebut (argue against with evidence)?
 - **Audience:** Are the ideas ones that will be compelling and persuasive for your intended audience?
 - **Number:** Do you have enough ideas to support your argument?
 - **Order:** Have you placed your main points in the most advantageous order? (Generally the first and last positions are the strongest; so, when ordering ideas, keep in mind those that are first and last are more likely to be remembered most clearly by your audience.)
 - **Evidence:** Will you be able to support your ideas with some form of evidence (see Step 8)?

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Task Description, continued

8. Think about how you will support each of your main points/reasons with evidence or examples. For each main point/reason, usually one to three pieces of evidence will be enough to support your point. Your evidence could be in a variety of forms. Some of the most common forms are as follows:
- **Expert opinions:** ideas, information, or testimony from another person who has authority or expertise
 - **Analogies:** an analogy uses the familiar to explain the unfamiliar; a metaphor is a figure of speech that points to a similarity between two things
 - **Principles:** values -- such as fairness, justice, equality -- that are defined in the writing
 - **Anecdotes:** very brief stories that clearly and specifically illustrate a main point or idea
 - **Examples:** specific cases, events, or people appropriate to your topic that might help clarify a main point or idea
 - **Facts and statistics:** Some audiences will want and need to see facts and figures for them to understand your points and believe your message. Even for an audience who demands data, use statistics cautiously. It is easy to bore readers with too much detail.

Conferencing

9. Meet with another student to discuss your ideas for the persuasive piece. You may find it helpful to share the ideas that you chose not to include in your plan. Also, give them details about the supporting evidence that you plan to use. Get suggestions on how to improve your main points, your supporting evidence and the way in which you are organizing your material.

Revising; Organizing

10. After your meeting with this person, think about the critique he/she gave you. Remember that, in the end, the persuasive writing piece is yours. Revise your outline or graphic organizer as necessary.
11. Submit all the paperwork created so far (your notes, the pre-writing chart or idea map, and revised outline or graphic organizer) to your teacher for feedback.

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Task Description, continued

Drafting

12. Prepare a working draft of the persuasive piece. As you write your first draft, consider the following:

- **The Introduction** is where you clearly state the issue and the position about which you are writing. The introduction should also attract your readers' attention and make them want to keep reading the rest of your piece. As you prepare your introduction, consider these tips:
 - **Keep it short.** The introduction should be just long enough to capture the attention of the audience and then move them into the main points.
 - **Make it relevant.** Be sure to stay on the topic. It can be easy to wander off into stories and ideas that have no real connection to the topic at hand. This can confuse the audience as to what the writing is really about.
 - **Set the mood.** This is where an old saying comes into play: "You'll never get a second chance to make a first impression." The audience will begin evaluating your writing and your credibility on the issue you are addressing from the very first sentence of your piece. Be intentional about the tone you set.
 - **Define terms and develop background.** The introduction can be a good place to ensure that you and the audience are working with the same definitions of key terms. (For example, if the position about which you are writing is "Snowmobilers Should Have Full Access in the Boundary Waters," you might define where the Boundary Waters Canoe Area is and what you mean by "full access.") Also, if you need to give the audience a brief history of your topic as background, rather than as a central part of the piece, this may be a good spot. This will depend on your issue and the kinds of main ideas and supports you use.
- **Transitions** are the words and phrases writers use to show the audience they are moving from one point to another. Sometimes a word or two is enough to provide a transition such as "First..., Next..., Finally..." Other times you may need to be more detailed.
- **Working ethically** with written documents means to follow the rules or standards for publishing work. Even if you are not going to publish your document professionally, you need to follow these ethical considerations:
 - Use your own words and ideas whenever possible.
 - Credit sources whenever you use ideas or words from another person or publication.
 - Honor copyrights of words, ideas, and graphics that you use within your document.
 - Avoid misrepresentation of people or ideas.
 - Avoid exaggeration or distortion which may mislead readers.

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Task Description, continued

- **The Conclusion** is the place where you may state the purpose of the piece. Having presented your position, reasons, and supporting evidence, you now state what you want your readers to think, feel, or do. You may decide to summarize your main points in the conclusion. If you choose to re-state your main points as the summary, usually you will do so in the same order as you presented them in the body.
13. When you complete your first draft, reread it to make sure your introduction is clear, the main points make sense, the evidence you give supports the main points, and the conclusion is clear and addresses the purpose of the piece.

Conferencing

14. Meet with a group of three to five students to discuss the draft of your persuasive piece. Your teacher will tell you how these groups will be formed. Before this peer group meeting, give each member of your group a copy of your draft.
15. To prepare for the peer conference, read the drafts that the other students have given you and think about ideas to help them improve their writing. Things to keep in mind as you critique someone's writing:
- Begin by noting the things that you like in the piece.
 - Do not worry too much now about editing issues. Focus on the main ideas, the quality of the supporting evidence, the clarity of the transitions, and the effectiveness of the introduction and conclusion.
 - Use your personal response to identify the problem areas in the writing. For example, "I was confused here..."; "I was interested here but wanted more information about..."; "I laughed here; I think that is a fun example to use."
 - Remember you are critiquing the **writing** (how the opinion is presented and argued), not the opinion of the writer.
16. Meet with your conference group to discuss each student's draft. As you discuss each piece of writing, try to keep your discussion focused on **how** the writer communicates his or her position and not the position itself. For example, if your piece is a letter to the editor arguing for a new traffic light at a particular corner, do not get in a discussion with the other students about whether or not there should be a stoplight. Instead, get suggestions about how best to write about the position you have chosen.

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion

Task Description, continued

Revising; Drafting

17. After meeting with your conference group, think about the critique they gave you. Remember that, in the end, the persuasive piece of writing is yours. You must decide which ideas from others you will use and which you will put aside. If you choose to use the **critique** form (page 11), note the four most helpful suggestions you received and identify how you will use them to improve the persuasive piece.
18. Create a second draft by revising your persuasive piece as necessary. Do not be concerned if this draft is significantly different from your first. When professional writers revise, they may throw out whole sections of writing, completely change the order of their ideas, and add new ideas and examples. In fact, if you are only making small changes, you may not be looking at your draft closely enough.

Conferencing

19. You will be meeting with a different group of three to five students to get editing suggestions for your persuasive piece. Your teacher will tell you how these groups will be selected. Before this peer group meeting, give each member of the group a copy of your new draft.
20. To prepare for the peer conference, read the drafts that the other students have given you. On each persuasive piece, note potential problems in the following areas:
 - **Spelling**
 - **Punctuation**
 - **Paragraphing:** New paragraphs should begin at logical places; each paragraph should have a main point/idea and supporting evidence.
 - **Word choice:** Language should be accurate, specific to the topic, and appropriate for the audience and purpose.
21. Meet with your conference group to discuss their editing suggestions.

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion

Task Description, continued

Editing

22. After meeting with your peer group, think about the critique they gave you. Remember that, in the end, the persuasive piece is yours. You must decide which ideas from others you will use and which you will put aside. On another **critique** form (page 11), if you choose to use the form, note the four most helpful suggestions you received and identify how you will use them to improve your persuasive piece.
23. Create a new draft by editing your writing as necessary.

Assessing Your Work

24. Self-assess your persuasive writing using the Feedback Checklist in this package. If you wish to include any additional changes as a result of your self-assessment, do so before submitting the final product to your teacher.

Note: Be prepared to repeat any of the previous steps as needed to bring your persuasive piece of writing to "publishable," final form.

Publishing

25. Submit for teacher assessment all working drafts, notes, charts, idea maps, and critique forms along with your finished persuasive piece of writing and your self-assessment. If possible, send or give your finished piece of writing to the audience for whom it is written.

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion

SAMPLE OUTLINE FORMAT

Directions: See Steps 7 and 8 for directions for using this form.

Audience: _____

Purpose: _____

Position: _____

A. Main Point or Idea: _____

1. **Supporting Evidence:** _____

2. **Supporting Evidence:** _____

3. **Supporting Evidence:** _____

B. Main Point or Idea: _____

1. **Supporting Evidence:** _____

2. **Supporting Evidence:** _____

3. **Supporting Evidence:** _____

C. Main Point or Idea: _____

1. **Supporting Evidence:** _____

2. **Supporting Evidence:** _____

3. **Supporting Evidence:** _____

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion
CRITIQUE FORM

Directions: See Steps 17 and 22 for direction for using this form.

Writer: _____	Audience: _____	Topic: _____
People in critique group: _____		

PROCESS STEPS

(check the process step for which you are getting critique)	<input type="checkbox"/> Revising Your Draft	<input type="checkbox"/> Editing Your Draft
---	--	---

CRITIQUE

Person giving critique _____

Specific suggestion given :	How you plan to change your writing given this suggestion:
-----------------------------	--

Person giving critique _____

Specific suggestion given:	How you plan to change your writing given this suggestion:
----------------------------	--

Person giving critique _____

Specific suggestion given:	How you plan to change your writing given this suggestion:
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Person giving critique _____

Specific suggestion given:	How you plan to change your writing given this suggestion:
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EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Special Notes:

"Opinion" and Assessment

An opinion is, by definition, "a belief or judgment based on grounds insufficient to produce complete certainty" or "a belief or judgment that falls short of absolute conviction, certainty, or positive knowledge" (*Random House Webster's College Dictionary*, 1992).

It appears rather contradictory to ask students to use rationale, reasons, and evidence to support an opinion when, by definition, an opinion can never be proven with absolute certainty, even with such tools. Yet, in its common usage, the term *opinion* is used to mean a position which people are often called upon to support with reasons and evidence.

This issue of definition of terms may provide a good introduction to the nature of writing opinion pieces. Since an opinion, by definition, cannot be proven with complete certainty, students cannot be assessed on their opinions. Rather, they are to be assessed on how they articulate their opinion, give reasons for it, and support it with quality evidence. Students may need to be reminded of this distinction as they go through the writing process, particularly when they are receiving and giving revision critique.

Before You Begin

Before students begin working on this package, they will need to have learned about techniques of persuasive writing and should have a good understanding of how to clearly state an opinion. They will also need to have determined the position about which they will write, the format of the persuasive piece (an essay, article, letter or editorial), the audience for whom they will write, and the purpose of the piece.

The following five sections may help you as you prepare students for this assessment.

1. Reviewing Samples of Opinion Writing

Have students read a variety of writings in which the authors take an opinion about an issue. Discuss as a class the styles of writing, persuasive techniques used, and format of the documents. Locations for such writings include:

- samples in writing textbooks
- editorials and articles in newspapers and magazines
- political brochures
- public letter to the school board or other governing bodies
- resources and textbooks from debate teachers (see *Opposing Viewpoints* series from Greenhaven Press, St. Paul).

2. Discussing Audience and Purpose

To highlight how considerations about the audience and the purpose of the document may shape content and writing style decisions (for example, word choice, writing style, examples used), bring in a variety of writings (such as a newspaper article, an editorial, technical manual, a children's book or magazine, textbooks for different ages and education levels) and compare their writing style and design in light of the differing audiences and purposes. This can be done effectively using the same topic with different audiences. You might also consider having students write letters to different audiences (such as parents, principal, friends, newspaper) about the same events/issue.

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Special Notes, continued

3. Modeling the Process of Developing an Argument

For the students' writing to meet standard level, it must contain complex and well-reasoned ideas and supporting evidence, not just a simple list of easy answers. To teach students how to develop complex and rich arguments, select an issue for which the class can develop both supporting and opposing arguments.

Pick an issue about which students in the class may have differing opinions. It is also important to find an issue that is complex and about which there can be equally valid differing positions. As a class, go through the process as described in this package (modified as necessary). Have students work in small groups to develop an argument on one side of the issue. After class discussion about the arguments the groups create, have students take the opposing side of the issue.

As you work through an issue as a class, model the various skills necessary for investigation, including questioning, finding information, and documenting sources.

As you work with the class to develop supporting evidence for the arguments, you may want to discuss with the class **why** people may have differing opinions about an issue. Listed below are four common types of differences and the strategies that can be used to resolve those differences:

Type of Difference	Strategies for Resolution
Differences in Principle	Persuasion and compromise
Differences in Fact	Getting more facts or comparing validity of known facts
Differences in Predictions	Testing predictions based on reasonableness
Differences in Reasoning	Evaluating the soundness of the reasoning process

4. Helping Students Select Topics

Selecting a topic with which students will become engaged is critical for the success of their writing. If students are writing about a topic about which they have strong opinions or about which they know a great deal, they will be more motivated to develop their points with enthusiasm and detail.

The topic for the writing could come from a variety of sources including your existing curriculum; current national, state, or local political issues; and school based issues. Topics could also arise out of students' hobbies and interests. For example, a student who is a hunter may have strong opinions about gun control legislation; a student who uses the Internet at home may have strong opinions about use of the Internet in school. The following list is intended to help you begin developing ideas with your students:

School related topics:

- Should students be allowed to work during the school year?
- Should students be required to take computer classes in middle school?
- Should the school day begin an hour later than it currently does?
- Should students who receive office referrals for behavior be allowed to attend school sponsored social events?
- Should students be allowed full access to the Internet?
- Should students be required to wear uniforms to school?

Political issues/current events:

- Should taxpayers financially support a new sports stadium?
- Should the news media be able to interview a teenage child of an elected public official?
- Should motorized vehicles be allowed in the Boundary Waters Canoe Area?
- Should the sale of handguns be restricted?
- Should companies use affirmative action as they hire employees?

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Special Notes, continued

5. Selecting Authentic Audiences and Formats

If possible, encourage students to find issues for which they can voice their opinion to an authentic audience.

You may need to work with students to ensure the audience they select is one that has a vested interest in the issue and some authority about it. For example, a student would probably want to address a letter requesting different school lunch menu selections to a local school official rather than the President of the United States.

Also help students select a format appropriate for their purpose and audience.

Organizing Tools

The sample outline form (page 10) is but one model for organizing ideas before writing. It is included to provide a basic framework and may be modified to fit within either your existing curriculum or the method with which you and your students have previously worked.

There may be students for whom using organizing tools such as an outline or a graphic organizer early in the writing process is restrictive. These are the students who will write their essay first and then fill out the outline just to humor the instructor. It may help students to acknowledge that there are many different methods for brainstorming, developing, and organizing ideas. For students who prefer to write to discover their ideas, ask them to write a draft of an essay and then use an organizing tool (graphical organizer, outline, or other format you or they create) to ensure that the arguments contained within their writing are solid and have evidence to support their main points. These students would be using an outline or graphic organizer more for revision than for pre-writing.

Establishing Critique Groups

The package has students use two different critique groups -- one for revising and one for editing. This is to increase the total number of people who will see the drafts. Also, when getting editing suggestions, it is usually best to have readers who are new to the draft; they are more able to see the draft with a fresh perspective and so can more easily identify problems with mechanics and spelling.

Making Copies of Students' Drafts

If it is not possible to have copies of students' drafts available for each member of the critique group, you may have students read and respond to the drafts of other students in their group in a "round robin" method (passing the draft around the group).

The round robin method is more effective for the editing stage than the revising. The revision session should be more of a discussion about ideas and organization and is really more effective if all members of the critique group have a draft before them.

Revising

Significant modeling and instruction may be necessary to get students to truly revise their writing (look critically at the draft, the ideas, and the organization of them), rather than to simply edit (check for spelling and mechanics errors). Before beginning this assessment package, allow students to have the opportunity to practice giving and receiving critiques on their writing.

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Special Notes, continued

Eliciting Quality Critique

If students do not get enough constructive critique from their peers to help them with their revisions, you or another adult may need to give them critiques as well.

Sometimes you may find it is the strongest writers in the class who are the most resistant to revising their drafts. They may be used to getting "this is great" comments from their peers and may need more mature and sophisticated responses to encourage them truly to revise their writing.

Selecting Critique

The Critique Form (page 11) is intended to give students a tool on which to note the suggestions from their peers or other reviewers that are most helpful for them. This is intended to help facilitate reflection on the part of the students as well as to provide a document on which you may quickly identify and assess the revision decisions students made.

Assessing Students' Word Processing

Students may write their opinion pieces by hand. If, however, they have access to a word processor, encourage them to use it. While students work to meet the writing standard with this package, they may also show evidence of high standard work in word processing. (See the Resource Management: Technology Applications standard.)

Copyright Issues

Given the increasing ease with which students and teachers can digitally reproduce text, sounds, and graphics, we must become aware of and follow the laws that protect the rights of creators of original works, including students themselves. Copyright law is currently undergoing revision to address issues raised by developing technologies. Because of these changes and the sheer complexity of the law itself, it can be difficult to understand, let alone, follow the copyright law. However, teachers and students must do their best to know the existing law and how it affects them, and to act in compliance with it.

While the summary provided below provides a brief overview of copyright issues, there are many resources available and worth researching with your students. Please see the Resources section at the end of the Special Notes.

Copyright: Under copyright law, the creator of an original work has the following rights:

1. to reproduce or copy the work;
2. to prepare derivative works;
3. to distribute copies of the work to the public;
4. in the case of audiovisual works, to perform the work publicly; and
5. in the case of literary, musical, dramatic, choreographical, pantomimes, pictorial, graphic, or sculptural works, to display the work publicly.

All original works are copyrighted from the moment at which they are fixed in a tangible form (that is, written on paper, recorded on tape, etc.).

Registered copyright: To establish public record of the copyright claim, the creator of a work may register his/her copyright through the Copyright Office of the Library of Congress. Before a copyright infringement suit can be filed, a copyright must be registered.

EXAMPLE PERFORMANCE PACKAGE TASK 1

A Matter of Opinion

Special Notes, continued

Fair Use: A Fair Use doctrine was included in the 1976 Copyright Act to limit monopolistic power of the copyright holder, allowing for some unauthorized use of a copyrighted work. The factors used to determine "fair use" are:

1. purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes
2. nature of the copyrighted work
3. amount and substantiality of the portion in relation to the work as a whole
4. effect of the use upon potential market for or value of the work.

How to Use Copyrighted Material: The best way to approach copyright is to assume that everything is copyrighted and write to request permission from the creator or copyright holder to use a copyrighted work. Also, always document another person's copyright.

Copyright of Student and Teacher Work: Copyright protection exists from the moment your work is fixed in a tangible form. While it is best to identify your copyright with your name, the year, and the copyright symbol ©, even if you do not do so, your work is still copyrighted. To seek compensation for copyright infringement, however, you must register your copyright through the Copyright Office of the Library of Congress.

Documenting Sources in Letters

Students who write in formats that do not typically have bibliographies (for example, letters and articles), will need to learn the methods for documenting their sources within their written text. See writing handbooks for this.

When to Introduce the Feedback Checklist

Although the package directs students to use the Feedback Checklist at the final stage of the writing process, it may be introduced at any point in the process.

Resources

On the Writing Process

Atwell, Nancy. *In the Middle*. Portsmouth, NH: Heinemann, 1987.

Glatthorn, Allan. *Composition Skills 5: The English Book*, Chicago: SRA, 1980.

Muschla, Gary. *Writing Workshop Survival Guide*. West Nyack, NY: The Center for Applied Research in Education, 1993.

Odell, Lee, Ed.. *Theory and Practice in the Teaching of Writing: Rethinking the Discipline*. Carbondale: Southern Illinois Press, 1993.

Sebranek, Patrick, Vern Meyer, and Dave Kemper. *Write Source 2000*. D.C. Heath and Company, 1995.

On Citing Sources: Books

Gilbaldi, Joseph and Walter S. Achert. *MLA Handbook for Writers of Research Papers, 4th Edition*. New York: The Modern Language Association of America, 1995.

On Citing Sources: Internet

MLA Citation Guide. (On-line) Available <http://www.cas.usf.edu/english/walker/mla.html>, December 23, 1996.

APA Style of Notation. (On-line) Available <http://www.uvm.edu/~xii/reference/apa.html>, December 23, 1996.

TIES. TIES Internet Referencing Resources Links. (On-line) Available <http://www.ties.k12.mn.us/cite/>, December 23, 1996.

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion

Special Notes, continued

On Copyright: Internet

Library of Congress. US Copyright Office. (On-line) Available <http://lcweb.loc.gov/copyright/>, December 23, 1996. and <gopher://gopher.loc.gov:70/11/copyright>, December 23, 1996.

Association of Research Libraries. Timeline: A History of Copyright in the U.S. (On-line) Available <http://arl.cni.org/info/frn/copy/timeline.html>, December 23, 1996.

Association of Research Libraries. Copyright and the NII Update/E-News. (On-line) Available <http://arl.cni.org/info/frn/copy/frncopy.html>, December 23, 1996.

Institute for Learning Technologies, Columbia University. ILT Guide to Copyright. (On-line) Available <http://www.ilt.columbia.edu/projects/copyright/index.html>, December 23, 1996.

Rhetoric Department, U of MN. (On-line) Available <http://rhet.agri.umn.edu:80./Rhetoric/misc/law.html>, December 23, 1996.

On Copyright: Books

Bruwelheide, Janis. *The Copyright Primer for Librarians and Educators*. Chicago: American Library Association, 1995.

Strong, William. *The Copyright Book: A Practical Guide*. Cambridge, MA: MIT Press, 1994.

Vlcek, Charles. *Adoptable Copyright Policy and Manuals Designed for Adoption by Schools, Colleges and Universities*. Washington, DC: Association for Educational Communications and Technology, 1992.

Simpson, Carol Mann. *Copyright for School Libraries*. Worthington, OH: Linworth Publishing, Inc., 1994.

EXAMPLE PERFORMANCE PACKAGE TASK 1
A Matter of Opinion

FEEDBACK CHECKLIST FOR TASK 1

The purpose of the checklist is to provide feedback to the student about his/her work relative to the content standard. Have the standard available for reference.

Y=Yes

N=Needs Improvement

<u>Student</u>	<u>Working Drafts and Persuasive Piece of Writing</u>	<u>Teacher</u>
_____	Purpose of the piece is clearly stated.	_____
_____	Audience of the piece is clearly identified.	_____
_____	Idea/opinion is clearly stated.	_____
_____	Reasons for idea/opinion are clearly appropriate for the audience of the piece.	_____
_____	Reasons for idea/opinion clearly address the purpose of the piece.	_____
_____	Main points and supporting evidence are: <ul style="list-style-type: none">• logical• clearly relevant• well-organized.	_____
_____	Spelling and mechanics are correct.	_____

Overall Comments (information about student progress, quality of the work, next steps for teacher and student, needed adjustments in the teaching and learning processes, and problems to be addressed):



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